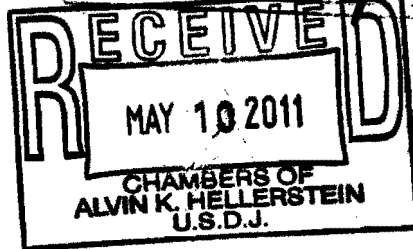
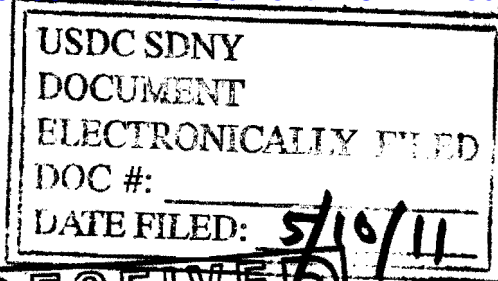


PATTON BOGGS LLP



The Legal Center
One Riverfront Plaza
6th Floor
Newark, NJ 07102
973-848-5600

Facsimile 973-848-5601
www.pattonboggs.com

James E. Tyrrell, Jr.
973-848-5620
jtyrrell@pattonboggs.com

May 9, 2011

VIA ELECTRONIC MAIL

Hon. Alvin K. Hellerstein, U.S.D.J.
United States District Court for the
Southern District of New York
500 Pearl Street, Rm. 1050
New York, NY 10007

Re: In re World Trade Center Litigation, 21 MC 100 (AKH)
Wilson Valerezo (06cv07564)

In Re: World Trade Center Lower Manhattan Disaster Site Litigation, 21MC 102 (AKH)
Segundo Morales (07cv01668)

Dear Judge Hellerstein:

This letter is jointly submitted on behalf of counsel for the Plaintiffs and Defendants who executed the above referenced Stipulated Order of Dismissal With Prejudice Pursuant to Final Settlement Agreement, submitted to the Court on May 3, 2011 ("Dismissal Order"). On May 4, 2011, the clerk filed a version of the Dismissal Order bearing the following handwritten endorsement: "I decline to so order the last sentence of this stip'n. 5/4/11 Alvin K. Hellerstein." For the reasons set forth below, Plaintiffs and Defendants respectfully request that the Court reconsider the May 4, 2011 endorsement and instead enter the Dismissal Order in the form submitted on May 3, 2011.

The Dismissal Order submitted on May 3, 2011 is in the form attached as Exhibit T to the Final Settlement Agreement. Section XXII.C of the Final Settlement Agreement requires all plaintiffs participating in the settlement to dismiss their cases using this form of order. To date, the Court has executed dismissal orders in the form of Exhibit T for approximately 10,100 plaintiffs who opted into the settlement. Should the Court's May 4, 2011 endorsement be based upon a concern that the Court has not reviewed directly the Second Injury Letters signed by plaintiffs Valarezo and Morales to verify the adequacy of the execution of those letters, please note (as previously has been described to the Court by counsel for the Defendants and the WTC Captive Insurance Company, Inc.) that counsel for Defendants have reviewed carefully the Releases and Second Injury Letters submitted by each plaintiff who has sought to opt into the settlement. No plaintiff can participate in the settlement until any deficiencies identified in his or

The request is denied. Everything in documents submitted have for review and/or decision is carefully reviewed. It is improper to single out any particular sentence as noting anything more, or less, than ordinary practice.
5-10-11
Alvin K. Hellerstein

PATTON BOGGS LLP

May 9, 2011
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her Release and Second Injury Letter have been remedied. All parties have worked together cooperatively to identify and remedy deficiencies, and that process is largely complete. We therefore respectfully submit that any concerns of the type described above regarding the validity of the Second Injury Letters have been addressed.

Entry of the Dismissal Order in the form attached as Exhibit T to the Final Settlement Agreement is an essential term of the settlement and the affected plaintiffs cannot receive payment or a certificate for the Cancer Insurance Policy until such an Order is entered. Accordingly, we respectfully request that the Court reconsider the May 4, 2011 endorsed Dismissal Order, and instead enter the Dismissal Order in the form submitted on May 3, 2011. For the Court's convenience, we enclose another copy of the May 3, 2011 Dismissal Order for Your Honor's signature.

Respectfully submitted,

s/
James E. Tyrrell, Jr., Esq.
PATTON BOGGS LLP
Defendants' Co-Liaison Counsel
Respectfully submitted,

Respectfully submitted,

s/
Paul J. Napoli, Esq.
WORBY GRONER EDELMAN
& NAPOLI BERN LLP
Plaintiffs' Co-Liaison Counsel

Enclosure

cc: Special Master Aaron Twerski (via e-mail)
Special Master James A. Henderson, Jr. (via e-mail)